

Jason P. Peck
Special Assistant U.S. Attorney
c/o Social Security Administration
Office of General Counsel
26 Federal Plaza, Room 3904
New York, NY 10278-0004
(212)264-2493
jason.peck@ssa.gov
Bar No. 516605

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK (BINGHAMTON)

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Tonya Latour :

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

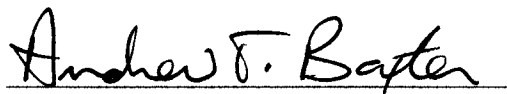
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: **JOINT STIPULATION FOR**
: **REMAND PURSUANT TO**
: **SENTENCE FOUR OF 42 U.S.C**
: **§ 405(g)**
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: **No. 3:18-cv-00571-ATB**
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This matter has been opened to the Court by Grant C. Jaquith, United States Attorney for the Northern District of New York, and Jason P. Peck, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) for further administrative action. On remand, should the Appeals Council remand to an ALJ, upon remand, the ALJ will conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, including offering plaintiff a new hearing, and issuing a new decision. On remand, both parties may submit additional evidence.

Therefore, the Commissioner's Motion and Plaintiff, through the undersigned attorney, Howard D. Olinsky, Esq., having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 12th day of October, 2018;

ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g), for the further administrative action set forth above, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).



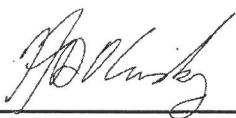
Andrew T. Baxter
U.S. Magistrate Judge

The undersigned hereby consent to the form and entry of the within order.

GRANT C. JAQUITH
United States Attorney

By: /s/ Jason Peck
JASON P. PECK
Special Assistant U.S. Attorney
Attorney for Defendant
Bar No. 516605

Olinsky Law Group

By: 
HOWARD D. OLINSKY, ESQ.
Attorney for Plaintiff
Bar No. 102297